



WEB COPY



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C.M.P.No. 26039 of 2024
in
S.A. SR. No. 118359 of 2021

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 940 days in payment of deficit court fee of Rs.3750/- in the above appeal.

2. Mr.R.Kannan, learned counsel for petitioner submitted that at the time of filing appeal, a sum of Rs.30,205/- has been paid as court fee as it is calculated the interest upto the date of filing of first appeal. However, the Registry directed to pay interest as per the decree i.e. upto the date of realisation. Now, he came to know that there was a deficit court fee of Rs.3750/- is to be affixed in the above appeal. However, there is a delay of 940 days in the said payment arose and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.

3. Considering the facts and circumstances, and the reasons stated by the petitioners in the affidavit seems to be justifiable one, this court is inclined to allow this petition. Registry is directed to number the above Appeal if it is otherwise found to be in order and post the matter on 28.11.2024.

21.11.2024

rpp